Lsp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2961 of 2007
in
FIRST APPEAL NO.1863 of 2007

Gulabrao Digambar Mane ...Appellant
V/s.

Chhabutai Gulabrao Mane ...Respondent

Mr. M.M.Sathye for the Appellant
Mr. A.M.Kulkarni for the Respondent

CORAM:- Anoop V.Mohta, J

DATED:- 10th September, 2007.

P.C.

. In decree in question the original plaintiff has been declared the owner of the property in question. However, defendant's case is that there was only lifetime interest in the property. This controversy unless decided, at this stage of the proceedings, considering the averments made and in view

of the grounds raised in first appeal it is desirable that the party who is in possession of the property should not create any third party interest at all and/or sale, elienate, transfer the property that is eastern 2 H - 5 R portion of land from Survey No. 209/1 situated at Mouje Dafalapur, Taluka - Jath, District Sangli.

2. Resultantly, the Civil Application No. 2961 of 2007 is disposed off in terms of prayer clause(a).

(Anoop V. Mohta,J)